

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 2259/2023

Anish Kumar Saini S/o Shri Harkesh Mali, Aged About 19 Years,
R/o Village Khanpur Basoda Kishani Bandarpura, Mahu Khurad
(Rural), Tehsil Gangapur City, Distt. Sawai Madhopur (Raj).

-----Petitioner

Versus

1. State Of Rajasthan, Through P.p.
2. Commissioner Of Police, Jaipur.
3. Acp Malviya Nagar, Jaipur City (East), Rajasthan.
4. Sh.o. Police Station Kho- Nagoriyan, Distt. Jaipur.
5. Investigation Officer, Fir No. 692/2022 Registered At
Police Station Kho Nagoriyan, Distt. Jaipur.
6. Victim, R/o

-----Respondents

Connected With

S.B. Criminal Miscellaneous (Petition) No. 4329/2023

Victim, Aged About 30 Years, R/o

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. Director General Of Police, Police Head Quarter, Lal Kothi
Scheme, Jaipur (Raj).
3. Dy. Commissioner Of Police, Jaipur East, Jaipur (Raj).
4. Station House Officer, Police Station Kho Nagoriyan,
District Jaipur City East (Raj).

-----Respondents

For Petitioner(s) : Mr. M P Jadoun

For Respondent(s) : Mr. Laxman Meena, PP

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

24/01/2024

IN S.B. Criminal Miscellaneous (Petition) No. 2259/2023

1. Instant misc. petition under Section 482 Cr.P.C. has been
filed by petitioner, for quashing of FIR No.692/2022 registered at
Police Station Khonagoriayan, District Jaipur City (East) for
offences u/s 376(2)(n) and 384 of IPC.

2. Counsel for petitioner submits that petitioner happens to be *Devar* of the complainant-prosecutrix. Prosecutrix is major and married woman, having three children and has leveled the allegation of rape against the petitioner with ulterior motive to pressurize the petitioner to surrender his portion of agricultural land in her favour. After lodging the FIR, prosecutrix herself sworn in an affidavit in the form of compromise that the family dispute between parties have settled and she does not want to pursue any criminal case in the impugned FIR. The copy of the compromise dated 19.01.2023 has been placed on record. However, later on she denied that affidavit.

3. Heard.

4. Issue notice to the respondent No.6-complainant.

5. List these matters on 22.02.2024.

6. In the meanwhile, the investigation in the impugned FIR may be continued and Investigating Officer is directed to verify the factum of execution of affidavit/compromise dated 19.01.2023 under the signature/thumb impression of the prosecutrix and submit the report before this Court.

(SUDESH BANSAL),J